

WILLMAR CITY COUNCIL PROCEEDINGS
BOARD ROOM
HEALTH AND HUMAN SERVICES BUILDING
WILLMAR, MINNESOTA
& BY ELECTRONIC MEANS (GOTO MEETING)

March 1, 2021
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Marv Calvin. Members present on a roll call were Mayor Marv Calvin, Council Members Rick Fagerlie, Julie Asmus, Michael O'Brien, Thomas Butterfield, Justin Ask, Vicki Davis, Andrew Plowman, and Audrey Nelsen. Present 9, Absent 0.

Also present were City Administrator Brian Gramentz, Police Chief Jim Felt, Finance Director Steve Okins, Fire Chief Frank Hanson, Park and Recreation Director Rob Baumgarn, Public Works Director Sean Christensen, City Clerk Judy Thompson, and City Attorney Robert Scott.

Additions/deletions to the agenda included: Council Member Plowman added Public Comment; Council Member Fagerlie added discussion on local option sales tax projects, and discussion on City Administrator vacancy; Mayor Calvin noted Council Member O'Brien would like to share some comments from the Municipal Utilities Commission meeting.

Council Member Fagerlie moved to approve the agenda, as amended. Council Member Asmus seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Public Works Superintendent Gary Manzer recognized David Carlson, Public Works Operator for 40+ years of dedicated service to the City and wished him well on his retirement. Mr. Carlson thanked the Mayor and Council for the opportunity to work for the City. Mayor Calvin thanked Mr. Carlson for his many years of service and also wished him well on his retirement.

City Clerk Judy Thompson reviewed the consent agenda.

- A. City Council Minutes of February 16, 2021
- B. Willmar Municipal Utilities Commission Minutes of February 22, 2021
- C. Planning Commission Minutes of February 10, 2021
- D. Accounts Payable Report of February 11 – 24, 2021
- E. Public Works/Safety Minutes of February 18, 2021
 - 1. **Resolution No. 2021-042 Approve Purchase of Skid Loader** – Public Works
 - 2. **Resolution No. 2021-043 Approve Purchase of Kubota** -Wastewater
 - 3. **Resolution No. 2021-044 Approve Cooperative Construction Agreement with MnDOT for TH 12 Utility Adjustments**
- F. Finance Committee Minutes of February 18, 2021
 - 1. **Resolution No. 2021-045 Call for Public Hearing on the Issuance of Conduit Revenue Bonds** to be Held April 5, 2021
- G. Approve the Civic Center Arena Special Event by On-Sale Liquor License Holder Permit
- H. Willmar Area CVB Minutes of January 19, 2021
- I. Main Street Board Minutes of February 23, 2021

Council Member Fagerlie offered a motion to introduce **Resolution No. 2021-041 Approving Consent Agenda Items**. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Council Member O'Brien shared information from the Municipal Utilities Commission meeting in regard to our wind turbines. He stated wind turbines will shut down at -25 degrees with freezing rain, and we could have had this happen a few years ago due to the extreme cold temperatures experienced at that time. He also noted during peacetime legislation, late utility fees were null and void and totaled over \$300,000.

Steve Peppin, Willmar, addressed the Mayor and Council during the Public Comment. Mr. Peppin offered his support to hire a local person for the City Administrator position and urged citizens to apply for the position.

City Administrator Gramentz presented a request to approve changes to the previous assignments for the Intergovernmental Planning and Communications Committee Assignments. He noted from prior years the Mayor and City Administrator should be assigned as members along with one Council Member and alternate(s) consisting of Council Members.

Resolution No. 2021-046 Appointment to Intergovernmental Planning and Communications Committee was introduced by Council Member Plowman. Council Member Asmus seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

City Administrator Gramentz presented a request to authorize the City Administrator to initiate the recruitment process for Human Resource Director. He noted current Human Resource Director Samantha Beckman recently submitted her resignation. Administrator Gramentz presented several options to consider in the process.

Following a lengthy discussion, Council Member Nelsen offered a motion to allow the City Administrator to proceed with short-term goal of hiring a temporary Human Resource Director and explore the options of revising the current job description to possibly include other duties and bring back to Council for final approval, and introduced **Resolution No. 2021-047 Authorization to Initiate Recruitment of Human Resource Director**. Council Member Fagerlie seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

At this time, Mayor Calvin turned the meeting over to Mayor Pro Tempore Fagerlie.

Public Works Director Christensen and Economic Development Executive Director Aaron Backman presented a request to approve a professional services agreement with Bolton and Menk, Inc. related to the EpiTopix sanitary sewer extension in the amount of \$189,590.

Following discussion, **Resolution No. 2021-048 Authorizing Entering into Professional Services Agreement Between the City and Bolton and Menk, Inc. for the EpiTopix Sanitary Sewer Extension** was introduced by Council Member Plowman. Council Member Asmus seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

At this time, Mayor Pro Tempore Fagerlie turned the meeting back to Mayor Calvin.

Public Works Director Christensen and Economic Development Director Aaron Backman presented a request to approve a professional services agreement with Bolton and Menk, Inc. for the EpiTopix watermain extension in the amount of \$111,760.

Following a lengthy discussion, **Resolution No. 2021-049 Authorizing Entering into Professional Services Agreement Between the City and Bolton and Menk, Inc. for the EpiTopix Watermain Extension** was introduced by Council Member Plowman. Council Member Asmus seconded the motion which carried on a roll call vote of Ayes 8, Noes 0.

Public Works Director Sean Christensen presented a request to enter into an agreement with Bolton and Menk, Inc. for professional services related to the Highway 12 lift station elimination. It was noted the lift station is over 50 years old and parts are becoming obsolete. By eliminating the station, all sanitary sewer would gravity flow to the Western Interceptor line which is designed to handle additional volume and allow for future development.

Resolution No. 2021-050 Authorizing Entering into Professional Services Agreement Between the City and Bolton and Menk, Inc. for the TH No. 12 Lift Station Elimination was introduced by Council Member Plowman. Council Member Asmus seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Finance Director Okins presented a request to adopt a resolution authoring the Mayor and City Administrator to execute the agreement for Intergovernmental Transfer and ECPN payments by and between Carris Health, Rice Memorial Hospital, Rice Care Center and the City of Willmar. It was noted previously, Rice Hospital and the City have entered into agreements whereby the hospital would remit to the City annual negotiated intergovernmental transfer payments in consideration for the municipal services provided to Rice Hospital by the City. Both parties desire to continue this annual intergovernmental transfer.

Resolution No. 2021-051 Carris Health Intergovernmental Transfer Agreement was introduced by Council Member Nelsen. Council Member Fagerlie seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Council Member Fagerlie requested the City place some of the local option sales tax projects on hold at the Civic Center and proceed with Swansson Field and Robbins Island projects.

Following a lengthy discussion, Council Member Fagerlie offered a motion to place the local option sales tax projects on hold at the Civic Center, and proceed with the Swansson Field and Robbins Island projects. Council Member Butterfield seconded the motion which failed, on a roll call vote of Ayes 3, Noes 5. Council Members Asmus, Ask, Davis, Plowman, and Nelsen voted "no".

Council Member Fagerlie offered a motion requesting the City look in-house first, for a two week period, for candidates for the City Administrator position and see if anyone is interested, prior to following the recently approved process with BakerTilly. Council Member Butterfield seconded the motion.

Following a lengthy discussion, Council Member Asmus offered a motion to call the question. The motion died for lack of a second.

Following further discussion, Council Member Nelsen offered a motion to call the question. Council Member Fagerlie seconded the motion.

The original motion then failed on a roll call vote of Ayes 3, Noes 5. Council Members Asmus, Ask, Davis, Plowman, and Nelsen voted "no".

The upcoming Committee meetings will be as follows: Public Works/Safety Committee – Thursday, March 4th at 4:30 p.m.; Finance Committee – Thursday, March 4th at 5:45 p.m.; Community Development Committee – no meeting scheduled at this time; and Labor Relations Committee – Tuesday, March 9th at 5:45 p.m.

Council Member Asmus offered a motion to adjourn the meeting with Council Member Fagerlie seconding the motion which carried. The meeting adjourned at 8:55 p.m.

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
SECRETARY TO THE COUNCIL

RESOLUTION NO. 2021-041

APPROVING CONSENT AGENDA ITEMS

Motion By: Fagerlie

Second By: Asmus

WHEREAS, the City Charter for the City of Willmar requires the City Council approve all Consent Agenda items by resolution.

BE IT RESOLVED by the City Council of the City of Willmar Minnesota, that all Consent Items of the March 1, 2021 City Council meeting be approved as presented.

Dated this 1st day of March, 2021

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2021-042

**A RESOLUTION APPROVING THE PURCHASE OF A T76 T4 BOBCAT SKID STEER LOADER
IN THE AMOUNT OF \$75,786.**

Motion By: Fagerlie

Second By: Asmus

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, the purchase of a T76 T4 Bobcat Skid Steer with attachments from Farm-Rite of Willmar, Inc. is accepted through State Contract No. 170700 and be it further resolved the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the total amount of \$75,786.

Dated this 1st day of March, 2021

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2021-043

A RESOLUTION APPROVING THE PURCHASE OF A KUBOTA F2690 IN THE AMOUNT OF \$22,714.68.

Motion By: Fagerlie

Second By: Asmus

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, the purchase of a Kubota F2690 with attachments from Haug-Kubota is accepted through National Joint Powers Alliance Contract No. 062117-KBA and be it further resolved the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the total amount of \$22,714.68.

Dated this 1st day of March, 2021

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2021-044

A RESOLUTION AUTHORIZING ENTERING INTO COOPERATIVE CONSTRUCTION AGREEMENT BETWEEN THE CITY AND MnDOT FOR THE TH NO. 12 PROJECT.

Motion By: Fagerlie

Second By: Asmus

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the Mayor and City Administrator be authorized to enter into the Cooperative Construction Agreement between the City of Willmar and MnDOT for the TH No. 12 Project.

Dated this 1st day of March, 2021

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2021-045

**RESOLUTION CALLING FOR A PUBLIC HEARING ON
THE ISSUANCE OF CONDUIT REVENUE BONDS AND
AUTHORIZING THE PUBLICATION OF A NOTICE OF HEARING
(CENTRACARE HEALTH SYSTEM)**

Motion By: Fagerlie

Second By: Asmus

WHEREAS, Minnesota Statutes, Sections 469.152 through 469.1655, as amended, relating to municipal industrial development (the "Act"), gives municipalities the power to issue revenue obligations for the purpose of promoting the welfare of the state by the provision of necessary health care facilities, so that adequate health care services are available to residents of the state at reasonable cost; and

WHEREAS, the City of Willmar, Minnesota (the "City"), has received from The Saint Cloud Hospital, a Minnesota nonprofit corporation and 501(c)(3) organization (the "Borrower"), as the representative of the obligated group consisting of the Borrower, CentraCare Health System, a Minnesota nonprofit corporation ("CentraCare"); CentraCare Health Services—Melrose, a Minnesota nonprofit corporation; CentraCare Health Services—Long Prairie, a Minnesota nonprofit corporation; CentraCare Health System—Sauk Centre, a Minnesota nonprofit corporation; CentraCare Health—Paynesville, LLC, a Minnesota limited liability company; CentraCare Health System—NR, LLC, a Minnesota limited liability company; Carris Health, LLC, a Minnesota limited liability company ("Carris"); Carris Health—Redwood, LLC, a Minnesota limited liability company and Affiliated Community Medical Centers, Ltd., a Minnesota corporation (collectively, the "Obligated Group") proposal that the City assist in refinancing a Project (as defined in Exhibit A attached hereto), through the issuance of conduit revenue bonds or obligations (in one or more series) (the "Bonds") pursuant to the Act; and

WHEREAS, before proceeding with consideration of the request of the Borrower and the Obligated Group it is necessary for the City to hold a public hearing on the proposal pursuant to the Act:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, as follows:

1. A public hearing on the proposal of the Borrower will be held at the time and place set forth in the form of Notice of Public Hearing attached hereto as **Exhibit A** or on a date to be determined by the City Administrator in order to meet publication requirements in accordance with applicable law. The general nature of the Project and an estimate of the aggregate principal amount of revenue bonds or other obligations to be issued to finance the proposal are described in the Notice of Public Hearing.

2. The City Clerk of the City is hereby authorized and directed to cause notice of the hearing to be given one publication in the official newspaper of the City and a newspaper of general circulation available in the City, not less than 14 days nor more than 30 days prior to the date fixed for the hearing, substantially in the form of the attached Notice of Public Hearing.

The motion for the adoption of the foregoing resolution was duly seconded by Member Asmus, and after full discussion thereof and upon vote being taken thereon, the following voted in favor thereof: Council Members Rick Fagerlie, Julie Asmus, Michael O'Brien, Thomas Butterfield, Justin Ask, Vicki Davis, Andrew Plowman, and Audrey Nelsen

and the following voted against the same: None

whereupon said resolution was declared duly passed and adopted this 1st day of March, 2021.

/s/ Marv Calvin

MAYOR

ATTEST:

/s/ Judy Thompson

CITY CLERK

EXHIBIT A

NOTICE OF PUBLIC HEARING ON A PROPOSAL FOR ISSUANCE OF HEALTH CARE REVENUE BONDS, SERIES 2021A (CENTRACARE HEALTH SYSTEM)

Notice is hereby given that a public hearing shall be conducted by the City Council of the City of Willmar, Minnesota (the "City") on Monday, April 5, 2021 at 7:00 P.M. at the Kandiyohi County Health and Human Services Building Board Room located at 2200 23rd Street NE in the City, to consider the proposal for the City's issuance of conduit revenue bonds in one or more series (the "Bonds") pursuant to Minnesota Statutes, Sections 469.152 to 469.1655, as amended (the "Act"). The proceeds of the Bonds will be loaned to The Saint Cloud Hospital, a Minnesota nonprofit corporation (the "Borrower") as the representative of the obligated group consisting of the Borrower, CentraCare Health System, a Minnesota nonprofit corporation ("CentraCare"); CentraCare Health Services—Melrose, a Minnesota nonprofit corporation; CentraCare Health Services—Long Prairie, a Minnesota nonprofit corporation; CentraCare Health System—Sauk Centre, a Minnesota nonprofit corporation; CentraCare Health—Paynesville, LLC, a Minnesota limited liability company; CentraCare Health System—NR, LLC, a Minnesota limited liability company; Carris Health, LLC, a Minnesota limited liability company ("Carris"); Carris Health—Redwood, LLC, a Minnesota limited liability company and Affiliated Community Medical Centers, Ltd., a Minnesota corporation (collectively, the "Obligated Group"), to (i) refinance improvements to the Rice Memorial Hospital, Rice Care Center, Rice Home Medical, and Rice Hospice (collectively, the "Project"), which were previously financed with the proceeds of the General Obligation Hospital Revenue Refunding Bonds, Series 2012A (Rice Memorial Hospital Project) and Hospital Revenue Notes, Series 2013 (Rice Care Center Project), issued by the City, and (ii) pay the costs of issuing the Bonds. The Project is owned by the City and leased to and operated by CentraCare and Carris.

Following the public hearing, the City will consider adopting a resolution approving the issuance of the Bonds to refinance the Project. The aggregate face amount of the Bonds proposed to be issued is presently estimated not to exceed \$35,000,000. The Bonds, if and when issued, will not constitute a charge, lien or encumbrance upon any property of the City except the City's interest in any revenues to be paid by the Borrower. Such Bonds will be special, limited revenue obligations of the City payable solely from the revenues expressly pledged to the payment thereof, and will not constitute a general or moral obligation of the City, and will not be a charge against the City's general credit or taxing powers, but will be payable solely from revenues or collateral to be paid or provided by the Borrower pursuant to a revenue agreement, which will be secured by a note granted by the Obligated Group. The facilities financed and refinanced by the Prior Bonds will continue to be owned by the City and leased to Carris and CentraCare in accordance with the terms of an Operating Lease between the City, Carris and CentraCare.

A draft copy of the proposed application to the Commissioner of the Department of Employment and Economic Development, State of Minnesota, for approval of the Project, together with all attachments and exhibits thereto, is available for public inspection during normal business hours, Monday through Friday, at the office of the City Clerk located at 333 SW 6th Street in the City.

The Mayor of the City has determined, due to the emergency declared under Minn. Stat. Chapter 12 by the Governor of Minnesota and the Mayor regarding the COVID-19 health pandemic, that it may not be practical or prudent for the Council to meet in-person or pursuant to Minnesota Statutes, Section 13D.02. In light of the COVID-19 health pandemic, some members of the Council may attend this meeting by telephone or other electronic means.

Members of the public may monitor this meeting via GoToMeeting. A GoToMeeting link and additional information or any changes regarding public participation in this meeting will be posted on our website at https://cms5.revize.com/revize/cityofwillmar/government/mayor_and_city_council/city_council_video.php.

Public comment can be submitted to the City Clerk via email at jthompson@willmarmn.gov. Please refer to the City's website at https://cms5.revize.com/revize/cityofwillmar/government/mayor_and_city_council/city_council_meetings/index.php to obtain a conference call number which will be included with the meeting agenda for members of the public who wish to participate during the meeting.

RESOLUTION NO. 2021-046

APPOINTMENT TO INTERGOVERNMENTAL PLANNING AND COMMUNICATIONS COMMITTEE

Motion By: Plowman

Second By: Asmus

BE IT RESOLVED, by the City Council of the City of Willmar, Minnesota, that the 2021 through 2022 appointments to the intergovernmental Planning and Communications Committee be revised as follows:

COUNCIL LIAISON POSITION

(appointees observe and report to city council but do not vote on board/commission)

Intergovernmental Planning & Communications Committee:

	<u>Mayor</u>
	<u>City Administrator</u>
	<u>Michael O'Brien</u>
Alternates:	<u>Audrey Nelsen</u>
	<u>Andrew Plowman</u>

Dated this 1st day of March, 2021

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2021-047

AUTHORIZATION TO INITIATE RECRUITMENT OF HUMAN RESOURCE DIRECTOR

Motion By: Nelsen

Second By: Fagerlie

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the City Administrator be authorized initiate the recruitment process for Human Resource Director.

Dated this 1st day of March, 2021

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2021-048

A RESOLUTION AUTHORIZING ENTERING INTO PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY AND BOLTON AND MENK, INC. FOR THE EPITOPIX SANITARY SEWER EXTENSION.

Motion By: Plowman

Second By: Asmus

WHEREAS the City of Willmar desires to retain a firm to provide engineering and construction related services for the Epitopix Sanitary Sewer Extension Project; and

WHEREAS a proposal has been made by the firm of Bolton and Menk, Inc.;

BE IT RESOLVED by the City Council of the City of Willmar that said proposal be accepted and that the Mayor and City Administrator be authorized to execute an agreement on behalf of the City for the same.

Dated this 1st day of March, 2021

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2021-049

A RESOLUTION AUTHORIZING ENTERING INTO PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY AND BOLTON AND MENK, INC. FOR THE EPITOPIX WATERMAIN EXTENSION.

Motion By: Plowman

Second By: Asmus

WHEREAS the City of Willmar desires to retain a firm to provide engineering and construction related services for the Epitopix Watermain Extension Project; and

WHEREAS a proposal has been made by the firm of Bolton and Menk, Inc.;

BE IT RESOLVED by the City Council of the City of Willmar that said proposal be accepted and that the Mayor and City Administrator be authorized to execute an agreement on behalf of the City for the same contingent upon City Council approval of the project.

Dated this 1st day of March, 2021

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2021-050

A RESOLUTION AUTHORIZING ENTERING INTO PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY AND BOLTON AND MENK, INC. FOR THE TH NO. 12 LIFT STATION ELIMINATION.

Motion By: Plowman Second By: Asmus

WHEREAS the City of Willmar desires to retain a firm to provide engineering and construction related services for the Highway 12 Lift Station Elimination Project; and

WHEREAS a proposal has been made by the firm of Bolton and Menk, Inc.;

BE IT RESOLVED by the City Council of the City of Willmar that said proposal be accepted and that the Mayor and City Administrator be authorized to execute an agreement on behalf of the City for the same.

Dated this 1st day of March, 2021

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2021-051

CARRIS HEALTH INTERGOVERNMENTAL TRANSFER AGREEMENT

Motion By: Nelsen Second By: Fagerlie

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Mayor and Administrator to execute the "Agreement for Intergovernmental Transfer and ECPN Payments by and between Carris Health, Rice Memorial Hospital, Rice Care Center and the City of Willmar" effective January 1, 2021.

Dated this 1st day of March, 2021

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk